

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ERIK DEMETRIUS WHITE,

Plaintiff,

OPINION and ORDER

v.

14-cv-759-wmc

KEITH TANULA,

Defendant.

Plaintiff Erik Demetrius White is proceeding to trial *pro se* on a claim that defendant Keith Tanula used excessive force against him on June 19, 2013, while he was confined at the Douglas County Jail in Superior, Wisconsin. On April 27, 2018, the court held a telephonic status conference to address outstanding issues and reschedule the trial date. In light of that discussion,

ORDER

IT IS ORDERED that:

1. In accordance with the court's order on defendant's motion for reconsideration, plaintiff Erik White was reminded of his obligation to respond timely *and* substantively to defendant Keith Tanula's most recent requests to admit.
2. Plaintiff's motion for copy of DVD (dkt. #62) is GRANTED, and defendant's counsel shall provide a copy of the DVD of the June 19, 2013, incident at the jail suitable for use at trial.
3. Defendant shall respond to plaintiff's motion to release jail policies (dkt. #70) by producing copies of the policies or objecting to those requests by **May 17, 2018**.

4. Plaintiff's motions for subpoenas (dkts. ##63, 64, 65, 69) are GRANTED in part and DENIED in part. The request is DENIED as to Gingerv, Meronek, Taylor, Kizlik, and Linder because they lack knowledge of the incident. It is also DENIED as unnecessary as to Tanula, who counsel represents will be appearing in person as the defendant. It is GRANTED insofar as the court may be willing to issue subpoenas for the appearances of Sara Lobermeier, T. Johnson and Nurse Patti, because each has knowledge of the incident or saw White shortly after the incident. Defendant is DIRECTED to provide the clerk of court with information about the locations of Lobermeier, Johnson and Nurse Patti within **14 days of the date of this order.**
5. The trial is RESET to begin on **Monday August 6, 2018, at 9:00 a.m.** The court will hold a telephonic final pretrial conference on **August 1, 2018 at 12:30 p.m.** **Because of security and logistic concerns, the parties are advised that the location of the trial will be at the federal district courthouse in Madison, Wisconsin.**

Entered this 3rd day of May, 2018.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge